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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

SHABANI STEWART, for herself and
all others similarly situated,

Plaintiff,

Civil Case 2:18-cv-03277(ccc)(SCM)

-against-

EARLY WARNING SERVICES, LLC,

Defendant.

**NOTICE OF MOTION FOR
FINAL APPROVAL OF
CLASS ACTION SETTLEMENT**

PLEASE TAKE NOTICE THAT upon this Notice of Motion, Plaintiff, Shabani Stewart (“Plaintiff”), individually, and as representative of the classes of persons defined below, shall move the Honorable Court, on June 22, 2020, at 10:00 a.m., to enter the **Proposed Order** submitted herewith, which shall, *inter alia*, certify this case as a class action, and grant final approval of the Parties’ class settlement agreement, on behalf of the following classes:

- (a) The “(b)(2) Class” is defined as follows:

all natural persons residing in the United States who, from March 7, 2016 through the date of Preliminary Approval, requested from EWS the contents of their file maintained by EWS, where in response thereto, EWS provided to such consumer a “Summary File Disclosure.” Excluded from the (b)(2) Settlement Class are individuals (a) who have previously released his or her claims against EWS, (b) who had a record of a match in the Internal Fraud Prevention Service and (c) the Judge overseeing the Litigation.

(b) The “(b)(3) Class” is defined as follows:

all natural persons residing in the United States who, from March 7, 2016 through the date of Preliminary Approval, requested from EWS the contents of his or her file maintained by EWS, where EWS had, in such consumer’s file, at least one Fraud Record, where EWS in response to such request, provided a file disclosure to such consumer but where such file disclosure did not use the term “fraud.” Excluded from the (b)(3) Settlement Class are individuals (a) who have previously released his or her claims against EWS, (b) who had a record of a match in the Internal Fraud Prevention Service and (c) the Judge overseeing the Litigation.

AND PLEASE TAKE FURTHER NOTICE, the instant motion is made upon the Memorandum of Law, the Declaration of counsel Gabriel Posner, Esq., and Declaration of Jennifer M. Keough, Chief Executive Officer of Settlement Administrator JND Legal Administration LLC submitted herewith;

AND PLEASE TAKE FURTHER NOTICE, pursuant to the Court Order granting Preliminary Approval to the class action settlement reached herein, a hearing on the instant motion has been scheduled by the Court for June 22, 2020 at 10:00 a.m. [ECF 41 ¶9].

Dated: June 1, 2020

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s/ Gabriel Posner, Esq.
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